

BLUE RIBBON TASK FORCE ON ETHICS ORDINANCE MEETING NOTES

Thursday, October 12, 2004

City Hall – Room 204

Present: Councilmember Ken Yeager (Chair)
Vice Mayor Pat Dando
Councilmember Cindy Chavez
Councilmember Chuck Reed

Absent: None.

Staff: City Clerk, Lee Price
Norm Sato, City Attorney's Office

I Introduction

Council Member Yeager called the meeting to order at 6:08 p.m.

II Public Comment/Oral Communications on any aspect of the Task Force's Work Plan

There were no Public Comments.

III Task Force Discussion and Incorporation into the Work Plan of proposed Work Plan Amendments

Council Member Yeager requested adding the following issues to the Task Force Work Plan: Mayor and Council Member travel and Charter Code 4-11 (Council interference with administrative matters).

Brief discussion ensued about Council Member Cortese's request for the Task Force to discuss the matter of the Council Policy on Censure (Policy 0-28) and the issue as it relates to recent allegations of misconduct by a council member. Chair Yeager indicated that the Task Force should wait at this time because the matter would be discussed by the full City Council on October 19, 2004. Vice Mayor Dando requested that the City Attorney not only provide clarification about censure procedures, but also explain what are the implications to censure as well as what is gained.

III (Cont'd.)

Council Member Chavez asked staff to provide the Incompatible Employment State Statute for review and to determine if the statute needs to be imbedded within the Task Force's work plan. Vice Mayor Dando suggested that staff follow-up with Council Member Campos to clarify the intent of her memorandum before the issue is brought back before the Task Force.

Council Member Yeager requested the issue of Concurrent Employment for Council Members be placed on the Work Plan, to be heard on November 10, 2004.

IV Task Force Consideration of Revised Draft Revolving Door Ordinance

Senior Deputy City Attorney Sato provided a brief overview of proposed revisions to the Revolving Door Policy and responded to brief questions. The Task Force requested that the City Attorney define clearly "work on any matter".

Vice Mayor Dando requested clarification as to what the statute of limitations are for the proposed ordinance. Tom Mertens, Chair of the Elections Commission, noted that the Commission, as part of its review of the Ethics Ordinance and how it relates to the duties of the Commission, will bring forward a recommendation for the Task Force to consider.

City Clerk Lee Price was asked to provide an updated copy of the draft Revolving Door Ordinance to Council and interested parties for review.

Upon motion by Council Member Reed, seconded by Council Member Chavez, and unanimously carried, the Committee agreed to forward the Revolving Door Policy issue for Council approval on October 26, 2004.

V Task Force Review, Discussion of issues, and Recommendations regarding Officeholder Accounts (intent and restrictions) and Fundraising provisions

Senior Deputy City Attorney Sato provided a brief overview of the current restrictions on Officeholder Accounts and provided information from comparable cities.

Council Member Yeager asked if the Council can prohibit the formation of political action committees for the Mayor and/or members of the Council. Senior Deputy City Attorney Sato replied that he believed the Council could do that and that currently if the Mayor or a Council Member has an officeholder account, they may not form a PAC.

Discussion ensued about officeholder accounts, fundraising and issues of transparency (who is donating money? are they local?). Concern was expressed about creating a burden for the “average” citizen who wants to serve on the Council. Additionally, there was considerable discussion about the importance of the ability of the Mayor to travel state and nationwide to advocate on behalf of City issues and policy matters, and to influence legislators by building relationships. It was agreed that the Mayor should have an adequate budget to do this without having to continuously fundraise. Council Member Yeager suggested that it may be time to loosen up some self-imposed restrictions on travel, and further, proposed that the limits on the Mayor’s officeholder account be increased to \$50,000.

Staff was requested to contact other large cities to: 1) compare information relating to officeholder accounts, and 2) to determine if the Mayors have a separate budget for travel on behalf of the City. The information should include whether the travel is funded by the City’s budget or by an officeholder’s account.

VI Adjournment/Next Meeting

The meeting was adjourned at 7:58 p.m.